

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the  
Northern District of Texas

<u>McElroy et al</u> <i>Plaintiff</i>	)	
v.	)	Civil Action No. 3:12-cv-04244-P
<u>National Credit Audit Corporation et al</u> <i>Defendant</i>	)	
	)	

**Summons in a Civil Action**

**TO:** National Credit Audit Corporation

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) -- or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12(a)(2) or (3) -- you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or the plaintiff's attorney, whose name and address are:

Martha Beard-Duncan  
1200 Smith Street  
16th Floor  
Houston , TX 77004

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

DATE: 10/19/2012

CLERK OF COURT



Signature of Clerk or Deputy Clerk



Civil Action No. 3:12-cv-04244-P

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for (*name of individual and title, if any*) \_\_\_\_\_  
was received by me on (*date*) \_\_\_\_\_.

I personally served the summons on the individual at (*place*) \_\_\_\_\_  
on (*date*) \_\_\_\_\_; or

I left the summons at the individual's residence or usual place of abode with (*name*) \_\_\_\_\_  
, a person of suitable age and discretion who resides there,  
on (*date*) \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on (*name of individual*) \_\_\_\_\_, who is designated  
by law to accept service of process on behalf of (*name of organization*) \_\_\_\_\_  
on (*date*) \_\_\_\_\_; or

I returned the summons unexecuted because \_\_\_\_\_; or

other (*specify*) \_\_\_\_\_  
\_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
Server's signature\_\_\_\_\_  
Printed name and title\_\_\_\_\_  
Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the  
Northern District of Texas

<u>McElroy et al</u> <i>Plaintiff</i>	)	
v.	)	Civil Action No. 3:12-cv-04244-P
<u>National Credit Audit Corporation et al</u> <i>Defendant</i>	)	
	)	

**Summons in a Civil Action**

**TO:** James M Peck, Individually

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) -- or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12(a)(2) or (3) -- you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or the plaintiff's attorney, whose name and address are:

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Date: \_\_\_\_\_

\_\_\_\_\_  
Server's signature\_\_\_\_\_  
Printed name and title\_\_\_\_\_  
Server's address

Additional information regarding attempted service, etc: